

**SUPPORT FOR INCREASED FUNDING FOR LEGAL REPRESENTATION TO ABUSED AND NEGLECTED CHILDREN**

Court appointed dependency counsel plays a critical role in the foster care system. They give a voice to the state’s most vulnerable youth, while helping them to understand and navigate a complex and overwhelming system. They are mandated by law to serve as passionate advocates at each hearing, while also ascertaining and bringing to the court’s attention all issues regarding the child’s well-being. A child’s attorney is the one to secure court orders for sibling visitation, placement in a relative’s home, counseling when a child has emotional problems, or review of psychotropic medications when there is concern of overmedication.

Yet, despite their importance, court appointed dependency counsel throughout the State of California (State) remain severely underfunded. A 2008 study conducted in California by the American Humane Society determined that the optimal caseload for a dependency attorney is 77 clients, while the maximum is 188 clients (with the assistance of a social work investigator). Under the current budget allocation, 32 counties in the State are

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MOTION

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not sufficiently funded to meet this maximum ratio. In Los Angeles County (County), which serves approximately 30,000 children in foster care, each attorney represents 300 child clients. This is almost 60% higher than the maximum and 300% higher than the optimal recommended number of clients per attorney.

On April 1, 2014, the County's Board of Supervisors passed a motion to support a \$33.1 million increase in the allocation for court appointed dependency counsel Statewide. Despite efforts last year by the State legislature to implement the increase, it was not included in the final budget. This year, the Governor's budget mentioned the current caseload crisis and indicated the intent to help reduce the number of cases per attorney. However, no specific funds were identified to achieve this goal.

Furthermore in 2014, the Judicial Council created the Court Appointed Dependency Counsel Funding Allocation Work Group to review and address the issue of equitable reallocation of current funds. After deliberation, the work group has recommended that the current funds be reallocated and distributed according to workload. The recommendation suggests a 4-year implementation plan, which will eventually provide each county with 75.7% of the funds needed to achieve the 188 client target. Since the County is currently funded well below this amount, the reallocation will result in a significant increase in funding for court appointed dependency counsel. The Judicial Council will be voting on the proposal to reallocate funds on April 17, 2015.

With over 30,000 children in the County's foster care system, it is imperative that the State legislators are aware of how important this issue is to the County and these vulnerable children. It is undeniably essential for the Board of Supervisors to speak on

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behalf of the children in its care and advocate that they receive the legal representation they deserve. Ensuring that at-risk vulnerable children receive the attention and representation they require will prevent the County from spending more dollars after they enter the system in intervention services.

**I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:**

1. Immediately send a five-signature letter to the State Assembly, Senate and Governor, urging them to provide a \$33.1 million increase in the allocation for court appointed dependency counsel statewide; and
2. Send a five – signature letter to the Judicial Council in support of the recommendations made by the Court Appointed Dependency Counsel Funding Allocation Work Group, urging them to adopt and implement the recommendations.

(DJJ/GCT)

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